

## **REMARKS**

This application has been reviewed in light of the Office Action mailed on May 27, 2005. Claims 1-8 and 10 are pending in the application with Claims 1 and 10 being in independent form. By the present amendment, Claims 1 and 10 have been amended. No new matter or issues are believed to be introduced by the amendments.

Claims 1-8 and 10 were rejected under 35 U.S.C. §112, first and second paragraphs. Claims 1 and 10 were amended in a manner which is believed to overcome the rejections. Specifically, Claims 1 and 10 were amended to remove the limitation which necessitated the rejections. Accordingly, withdrawal of the rejections is respectfully requested.

Claims 1-8 and 10 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,617,461 A issued to Schreiner on April 1, 1997 ("Schreiner").

Claims 1 and 10 have been similarly amended and in a manner which is believed to overcome the rejection. Claim 1 now recites "An X-ray examination apparatus which includes an X-ray source (11), an X-ray detector (13) including sensor elements for converting X-ray in electrical charges and a processing unit (2) for the correction of image data and a defect detection unit (3) for the detection of image defects that can be detected on the basis of image parameters that can be extracted from image data arising during clinical examinations and is suitable to adapt, in dependence on the detected image defects, the processing parameters (18-21) used in the processing unit (2), characterized in that for the detection of image defects caused by defective sensor elements the defect detection unit (3) includes a filter unit (37) for filtering the image data, a unit (35) for averaging the filtered image data, a comparison unit (36) for comparing the filtered and averaged image data with a threshold value in order to form a defect table identifying defective pixels in the image data, and a processing unit (2) for correcting the

defective pixels identified in the defect table by means of a correction table (20) to obtain corrected pixel values and applying the corrected pixel values to the image data from the X-ray detector (13), wherein the correction table (20) is based on a defect table, wherein the defect detection unit (3) calculates a defect table which is compared with the defect table on which the correction table (20) is based, and wherein in the case of a deviation between the two defect tables, the defect table upon which the correction table (20) is based is replaced, as well as the correction table (20) for the correction of defective pixels.” (Emphasis added) Claim 10 recites similar recitations as the recitations underlined above for Claim 1. Support for these recitations can be found at page 7, lines 27-31 of the specification.

Schreiner does not disclose or suggest at least the newly added limitations to Claims 1 and 10. Schreiner is directed to a method for identifying defective image points in X-ray image data by converting at least one calibration image into a filter image by highpass filtering. The filter image is subjected to defect determination, so that a defect image is obtained. The defect image is then used for the correction of an original image. See abstract, FIG. 2, and column 3, line 46 to column 4, line 67. Schreiner discloses that the correction method 15 takes as inputs the defect image 14 and the original image 16.

There is no disclosure or suggestion by Schreiner that the correction of the original image entails using a correction table which is based on a defect table. Applicants respectfully disagree with the Examiner that Schreiner’s defect image is analogous to a defect table as recited by Applicants’ Claims 1 and 10.

Furthermore, there is no disclosure or suggestion by Schreiner of a defect detection unit which calculates a defect table which is compared with the defect table on which the correction table is based, and wherein in the case of a deviation between the two defect tables, the defect

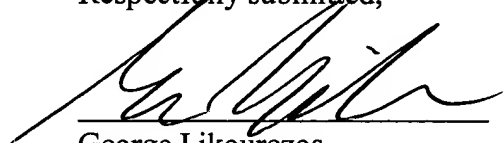
table upon which the correction table is based is replaced, as well as the correction table for the correction of defective pixels, as recited by Applicants' Claim 1 and similarly recited by Applicants' Claim 10.

Accordingly, withdrawal of the rejection under 35 U.S.C. §102(b) and allowance of Claims 1 and 10 are respectfully requested. Claims 2-8 depend from Claim 1, and therefore include the limitations of Claim 1. Accordingly, for the same reasons given for Claim 1, Claims 2-8 are believed to contain patentable subject matter. Accordingly, withdrawal of the rejection under 35 U.S.C. §102(b) and allowance of Claims 1-8 and 10 are respectfully requested.

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-8 and 10, are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call John Vodopia, Esq., Intellectual Property Counsel, Philips Electronics North America, at 914-333-9627.

Respectfully submitted,



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